

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

SUSAN C. DAUB,
Defendant.

No. 1:15-cr-10181-WGY-2

**DEFENDANT SUSAN DAUB’S SUPPLEMENTAL
MEMORANDUM IN AID OF SENTENCING**

The defendant, Susan Daub (“Ms. Daub”), by and through undersigned counsel, hereby respectfully submits this memorandum as a supplement to her sentencing memorandum previously filed on February 22, 2017. Specifically, Ms. Daub respectfully requests this Honorable Court make a judicial recommendation at the time of sentencing that she participate in the Residential Drug Abuse Program (“RDAP”) while serving her sentence.¹ During her presentence interview, Ms. Daub disclosed to U.S. Probation that “[p]rior to April 2015, the defendant consumed alcohol daily, having one to two glasses of wine at night with dinner.” PSR at ¶ 94. This essentially was a habit for her; she drank every day, and thought about doing so towards the end of the day in an effort to deal with stressors in her life. She also told U.S. Probation there have been times that she had operated a vehicle while under the influence of alcohol. *Id.* at ¶ 95. Although she has been able to manage her alcohol intake recently, that is

¹ Ms. Daub did not make this request in her original sentencing memorandum because she was awaiting information she was expecting to be included in the Final Presentence Report (“PSR”); although the Final PSR was disclosed timely, the new information she was expecting to be contained therein could not be incorporated into the memorandum and then filed timely in accordance with this Court’s Scheduling Order.

only because drinking alcohol in the manner she drank before has adverse interactions with medications she is taking (the reasons for these medications are referenced on page 14 of her sentencing memorandum).² Ms. Daub is concerned that, following her release, she may turn to alcohol again, and perhaps even more excessively, as a means of self-medication. Given Ms. Daub's compliance with her pretrial conditions of release, her statements to U.S. Probation about her drinking history, the nature of the crimes charged, and her family's agreement that alcohol abuse counseling is needed and would be beneficial, she respectfully requests this Court consider making a judicial recommendation that she be placed in to RDAP while serving her sentence.

Dated: February 27, 2017

Respectfully submitted,
SUSAN DAUB
By and through her attorneys,

/s/ R. Bradford Bailey
R. Bradford Bailey, BBO#549749
Adamo L. Lanza, BBO#689190
BRAD BAILEY LAW, P.C.
10 Winthrop Square, 4th Floor
Boston, Massachusetts 02110
Tel.: (857) 991-1945
Fax: (857) 265-3184
brad@bradbaileylaw.com
adamo@bradbaileylaw.com

² Notably, the PSR states that her daughter and fiancé have observed "increased alcohol consumption." PSR at ¶ 89. The fact that Ms. Daub believes her alcohol consumption has decreased in more recent times, while her loved ones have observed that such consumption has only increased, further suggests RDAP is appropriate in these circumstances in order to address potential blind spots the defendant has with respect to her own alcohol use. Moreover, her daughter, with whom Ms. Daub has constant contact, believes that alcohol treatment would be beneficial for her. *Id.*

Certificate of Service

I, R. Bradford Bailey, hereby certify that on this the 27th day of February, 2017, I caused a true copy of the foregoing motion to be served upon all necessary parties to this matter by virtue of electronically filing the same via the CM/ECF system.

/s/ R. Bradford Bailey _____
R. Bradford Bailey